

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JDR INDUSTRIES, INC., a Nebraska
corporation;

Plaintiff,

vs.

EDWIN K. MCDOWELL, AND
LAGRANGE SUPPLY CO, L.L.C., a
Nebraska limited liability company;

Defendants.

8:14CV284

ORDER

Plaintiff moves to file an Amended Complaint which includes the same claims and allegations of fact with respect to the currently named Defendants but adds James L. Vance and J.L. Vance, L.L.C.as defendants. (Filing No. 57). The defendants opposed the motion because “Plaintiff has already filed suit against James Vance in the District Court of Douglas County entitled JDR Industries, Inc. v. Vance, CI 14 – 1922,” and “[a]ddition of James Vance as a party Defendant to the present suit is duplicative of the matters asserted is the State Court suit.” (Filing No. 59).

After Defendants’ response was filed, on Plaintiff’s motion, the Douglas County District Court dismissed Plaintiff’s trademark and deceptive practices claims against Vance without prejudice. (Filing No. 60-1).

Accordingly,

IT IS ORDERED:

- 1) Plaintiff’s motion for leave to file an amended complaint, (Filing No. 57), is granted.
- 2) Plaintiff’s amended complaint, a copy of which is attached to its motion, shall be filed on or before September 18, 2015.

September 14, 2015.

BY THE COURT:

s/ Cheryl R. Zwart
United States Magistrate Judge